

10/6/01  
11000 U.S. PATENT & TRADEMARK OFFICE  
10/19/01

BOX PATENT APPLICATION  
Attorney Docket No.: 24222-X2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

11000 U.S. PATENT & TRADEMARK OFFICE  
10/19/01  
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10/19/01

In re Application of:

S. Rao CHERUKURI  
Vittorino RAVELLI

Serial No. Not yet assigned

Filed: October 19, 2001

For: **ENCAPSULATION PRODUCTS FOR CONTROLLED OR EXTENDED RELEASE**  
(Continuation-In-Part Application of provisional U.S. Patent Application No. No. 60/308,568 filed July 31, 2001 and Continuation-In-Part Application of U.S. Patent Application No. 09/587,971 filed June 6, 2000)

TRANSMITTAL LETTER

Commissioner for Patents  
Washington, D.C. 20231

Sir:

Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

Continuation-In-Part Patent Application consisting of:

- (1) Transmittal Letter;
- (2) Filing Form for CIP U.S. Patent Application;
- (3) CIP Application including:

49 Pages Application Consisting of:

37 Pages of Textual Specification  
9 Pages of 47 Claims  
1 Page of the Abstract  
2 sheets of drawings;

- (4) Preliminary Amendment;
- (5) Unexecuted Declaration;
- (6) Postcard for early notification of serial number.

Respectfully submitted,  
**NATH & ASSOCIATES PLLC**

By:

Gary M. Nath  
Registration No. 26,965  
Jerald L. Meyer  
Registration No. 41,194  
Customer No. 20529

Date: October 19, 2001  
NATH & ASSOCIATES PLLC  
1030 15<sup>th</sup> Street, NW - 6<sup>th</sup> Floor  
Washington, D.C. 20005  
GMN/JLM/dd:CIP.trans

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FILING FORM

FOR CONTINUING U.S. PATENT APPLICATION

Commissioner for Patents  
Washington, D.C. 20231

Sir:

1. This is a Request for filing a
  - Continuation Application under:
    - 37 CFR § 1.53(b)(1)
    - Divisional Application under:
      - 37 CFR § 1.53(b)(1)
  - Continuation-In-Part (CIP) application
    - 37 CFR § 1.53(b)(2)

of **prior** ("parent") applications:

Serial No. 09/587,971

Filed: June 6, 2000

Entitled: **ALTERNATE ENCAPSULATION PROCESS AND PRODUCTS  
PRODUCED THEREFROM**

and

Provisional Serial No. 60/308,568

Filed: July 31, 2001

Entitled: **ENCAPSULATION PRODUCTS**

2.  \*Enclosed for application under 37 CFR §§ 1.53(b) are:
  - 47 pages of text (specification, claims, abstract)
  - 47 claims
  - 2 sheets of drawings

3. The **present** application names the following inventor(s):

S. Rao CHERUKURI and Vittorino RAVELLI

- Newly executed oath or declaration (original or copy) will be submitted at a later date pursuant to 37 CFR §§ 1.41, 1.53
- Copy from a prior application (37 CFR 1.52 (b))
- (37 CFR § 1.53--"CIP") The above-identified application (in which no payment of the Issue Fee, abandonment of or termination of proceedings has occurred) is hereby expressly abandoned as of the filing date of this new application.

The **Total Filing Fee** is calculated as follows:

- Enter the Amendment filed in the prior patent application on \_\_\_\_\_ prior to calculating the filing fee.
- Enter the enclosed Preliminary Amendment prior to calculating the filing fee.

	(Col 1)	(Col 2)	SMALL ENTITY	NON-SMALL ENTITY		
	NUMBER OF CLAIMS FILED	NUMBER OF EXTRA CLAIMS	RATE	FEE	OR RATE	FEE
TOTAL	47	minus 20	27	x9= 243	x18=	
INDEP	3	minus 3	0	x42= 0	x84=	
BASE FILING FEE:			+370= 370		+740=	
<u>xx</u> Multiple Dependent Claims			+140= 0		+280= 0	
			TOTAL 613	OR TOTAL		0

- Applicant(s) is/are a "small entity". A Verified Statement Claiming Small Entity Status:  
 was filed in the parent application, and small entity status is still proper and desired;  
 is asserted as allowed under 37 CFR § 1.27.

- A check including the above-indicated filing fee is enclosed.

- A Petition for Extension of Time (to keep the parent case pending) is enclosed, with a check including the \$ extension fee.
- Assignment document(s) is/are submitted herewith, with a check including the recordation fee of \$40.00 per Assignment.
- No check is enclosed. A Declaration and Power of Attorney will be submitted at a later date pursuant to 37 CFR §§ 1.41, 1.53, and/or a check for the "Total Filing Fee" calculated above and a surcharge under 37 CFR § 1.16(e).
- The prior application is assigned of record to \_\_\_\_\_, the Assignment being recorded on \_\_\_\_\_, on Reel \_\_\_\_\_, Frame(s) \_\_\_\_\_.
- An original executed Declaration is enclosed.
- Amend the specification by inserting before the first line the sentence:

--This application is a nonprovisional Continuation-In-Part Application of provisional U.S. Patent Application No. 60/308,568 filed July 31, 2001 and is a Continuation-In-Part Application of U.S. Patent Application No. 09/587,971 filed June 6, 2000, the entire contents of which are hereby incorporated by reference in their entirety. --
- Foreign priority under 35 U.S.C. § 119 of \_\_\_\_\_ application(s) \_\_\_\_\_, filed \_\_\_\_\_, is hereby claimed.  
The certified priority paper(s):
  - was/were filed in the parent case;
  - is/are enclosed herewith;
  - will be submitted at a later date.
- The power of attorney in the prior application is to \_\_\_\_\_.
- The power appears in the original papers in the prior application.

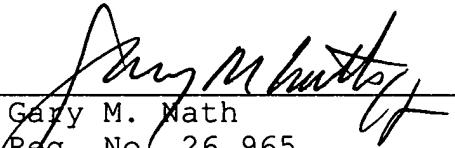
X Address all future communications to:

Gary M. Nath  
**NATH & ASSOCIATES PLLC**  
1030 15<sup>th</sup> Street, N.W.- 6<sup>th</sup> Floor  
Washington, D.C. 20005

- X If extensions of time under 37 CFR § 1.136 other than those provided herewith are required to prevent abandonment of the parent application, then such extensions of time are hereby petitioned to allow copendency of the parent and the present continuing application. The Commissioner is hereby authorized to charge fee deficiency under 37 CFR § 1.17, or credit any overpayment, to Deposit Account No. 14-0112. A duplicate copy of this Form is enclosed.
- The Commissioner is hereby authorized to charge any fee deficiency under 37 CFR §§ 1.16 and 1.17 which may be required, or credit any overpayment, to Deposit Account No. 14-0112. A duplicate copy of this Form is enclosed.

Respectfully submitted,

**NATH & ASSOCIATES PLLC**

  
\_\_\_\_\_  
Gary M. Nath  
Reg. No. 26,965  
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